



IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : Confirmation No. 5364

Naoki YAMAMOTO et al. : Attorney Docket No. 2005_1975A

Serial No. 10/563,797 :

Filed January 9, 2006 :

COPYRIGHT PROTECTION SYSTEM, KEY
GENERATION APPARATUS, RECORDING
APPARATUS, REPRODUCTION APPARATUS,
READ-OUT APPARATUS, DECRYPTION
APPARATUS, RECORDING MEDIUM,
RECORDING METHOD AND PROGRAM

**SUBMISSION OF ENGLISH VERSIONS OF INTERNATIONAL PRELIMINARY
REPORT ON PATENTABILITY AND WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith for consideration by the Examiner are:

- 1) An English version of the International Preliminary Report on Patentability; and
- 2) An English version of the Written Opinion of the International Searching

Authority.

Respectfully submitted,

Naoki YAMAMOTO et al.

By:


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June 8, 2006

From the INTERNATIONAL BUREAU

PCT

NOTIFICATION OF TRANSMITTAL
OF COPIES OF TRANSLATION
OF THE INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY
(CHAPTER I OR CHAPTER II)
OF THE PATENT COOPERATION TREATY)
(PCT Rules 44bis.3(c) and 72.2)

06.5.0

To:

NII, Hiromori
c/o NII Patent Firm, 3rd Floor, Shin-Osaka Suehiro Center Bldg.,
11-26, Nishinakajima 3-chome, Yodogawa-ku, Osaka-shi, Osaka
5320011
JAPON

Date of mailing (day/month/year) 18 May 2006 (18.05.2006)	
Applicant's or agent's file reference P35309-P0	IMPORTANT NOTIFICATION
International application No. PCT/JP2004/011303	International filing date (day/month/year) 30 July 2004 (30.07.2004)
Applicant MATSUSHITA ELECTRIC INDUSTRIAL CO., LTD. et al	

1. Transmittal of the translation to the applicant.

- The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter I).
- The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter II).

2. Transmittal of the copy of the translation to the designated or elected Offices.

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following designated or elected Offices requiring such translation:

None

The following designated or elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

AE, AG, AL, AM, AP, AT, AU, AZ, BA, BB, BG, BR, BW, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EA, EC, EE, EG, EP, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NA, NI, NO, NZ, OA, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW

3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability (Chapter II).

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned within the applicable time limit (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland

Facsimile No.+41 22 740 14 35

Authorized officer

Yoshiko Kuwahara

Facsimile No.+41 22 338 90 90

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference P35309-P0	FOR FURTHER ACTION		See item 4 below
International application No. PCT/JP2004/011303	International filing date (<i>day/month/year</i>) 30 July 2004 (30.07.2004)	Priority date (<i>day/month/year</i>) 05 August 2003 (05.08.2003)	
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237			
Applicant MATSUSHITA ELECTRIC INDUSTRIAL CO., LTD.			

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 bis.1(a).

2. This REPORT consists of a total of 4 sheets, including this cover sheet.

In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.

3. This report contains indications relating to the following items:

- | | | |
|-------------------------------------|--------------|---|
| <input checked="" type="checkbox"/> | Box No. I | Basis of the report |
| <input type="checkbox"/> | Box No. II | Priority |
| <input type="checkbox"/> | Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| <input type="checkbox"/> | Box No. IV | Lack of unity of invention |
| <input checked="" type="checkbox"/> | Box No. V | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/> | Box No. VI | Certain documents cited |
| <input type="checkbox"/> | Box No. VII | Certain defects in the international application |
| <input type="checkbox"/> | Box No. VIII | Certain observations on the international application |

4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).

	Date of issuance of this report 08 May 2006 (08.05.2006)
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The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. +41 22 740 14 35	Authorized officer Yoshiko Kuwahara Telephone No. +41 22 338 90 90
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PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

TRANSLATION
PCT

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

(PCT Rule 43bis.1)

		Date of mailing (day/month/year)
Applicant's or agent's file reference P35309-P0		FOR FURTHER ACTION See paragraph 2 below
International application No. PCT/JP2004/011303	International filing date (day/month/year) 30.07.2004	Priority date (day/month/year) 05.08.2003
International Patent Classification (IPC) or both national classification and IPC		
Applicant MATSUSHITA ELECTRIC INDUSTRIAL CO., LTD.		

1. This opinion contains indications relating to the following items:

- Box No. I Basis of the opinion
- Box No. II Priority
- Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- Box No. IV Lack of unity of invention
- Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- Box No. VI Certain documents cited
- Box No. VII Certain defects in the international application
- Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66, *Ibis(b)* that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/IP	Authorized officer
Faxsimile No.	Telephone No.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2004/011303

Box No. I Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

This opinion has been established on the basis of a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material

a sequence listing
 table(s) related to the sequence listing
 - b. format of material

in written format
 in computer readable form
 - c. time of filing/furnishing

contained in the international application as filed.
 filed together with the international application in computer readable form.
 furnished subsequently to this Authority for the purposes of search.
3. In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/JP2004/011303

Box No. V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement																								
<p>1. Statement</p> <table> <tr> <td align="left">Novelty (N)</td> <td align="left">Claims</td> <td>1 - 34</td> <td align="right">YES</td> </tr> <tr> <td></td> <td align="left">Claims</td> <td></td> <td align="right">NO</td> </tr> <tr> <td align="left">Inventive step (IS)</td> <td align="left">Claims</td> <td></td> <td align="right">YES</td> </tr> <tr> <td></td> <td align="left">Claims</td> <td>1 - 34</td> <td align="right">NO</td> </tr> <tr> <td align="left">Industrial applicability (IA)</td> <td align="left">Claims</td> <td>1 - 34</td> <td align="right">YES</td> </tr> <tr> <td></td> <td align="left">Claims</td> <td></td> <td align="right">NO</td> </tr> </table>		Novelty (N)	Claims	1 - 34	YES		Claims		NO	Inventive step (IS)	Claims		YES		Claims	1 - 34	NO	Industrial applicability (IA)	Claims	1 - 34	YES		Claims		NO
Novelty (N)	Claims	1 - 34	YES																						
	Claims		NO																						
Inventive step (IS)	Claims		YES																						
	Claims	1 - 34	NO																						
Industrial applicability (IA)	Claims	1 - 34	YES																						
	Claims		NO																						
<p>2. Citations and explanations:</p> <p>Document 1: Makoto Tatebayashi, Toshiharu Harada, Yoshihisa Fukushima, Hideyuki Ishihara, "Recording Media Content Protection System", 2000, The Institute of Electronics, Information, and Communication Engineers Foundation – Kyoukai Society Taikai Koen Ronbunshu, 07, September, 2000 (07.09.00), pp. 367-368</p> <p>Document 2: JP, 2000-23137, A (Matsushita Electric Industrial Co., Ltd.), 21 January, 2000 (21.01.00)</p> <p>Document 3: JP, 8-181689, A (Sony Corp.), 12 July, 1996 (12.07.96)</p> <p>The subject matters of claims 1-5, 7-24, 28-34 do not appear to involve an inventive step according to documents 1 and 2 cited in the ISR. Utilizing technology that performs decoding and password protection generating a password key for each category described in document 2 to a copyright protection system that decodes content based on invalidated data of the device key described in document 1 is easy for a person skilled in the art.</p> <p>The subject matters of claims 6, 25-27 do not appear to involve an inventive step according to documents 1 and 2 and 3 (paragraph [0025], [0028]-[0033], [0054]-[0067], figs. 1, 2, 7) cited in the ISR. Technology that decodes and performs multiple password protection of data that uses a key managed by each category is described in document 3 and was common technology even before this invention's application. Further, the utilizing of technology that performs decoding and password protection generating a password key for each category described in document 2 to a copyright protection system that decodes content based on invalidated data of the device key described in document 1 is easy for a person skilled in the art.</p>																									